



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
DEPARTMENT OF STATE

TELEPHONE: (302) 744-4500
FAX: (302) 739-2712
WEBSITE: WWW.DPR.DELAWARE.GOV

DIVISION OF PROFESSIONAL REGULATION

ADVANCED PRACTICE COMMITTEE Minutes (Approved September 27, 2014)

The Advanced Practice Committee held a meeting on August 4, 2014 at 6:00 p.m., in Conference Room A, Cannon Building, 861 Silver Lake Boulevard, Dover, DE.

PRESENT: Ron Castaldo, Sandy Elliott, Delphos Price, Robert McKennett, Cindy Drew, Leslie Verucci, Allen Prettyman, Candace Sandal, JoAnn Baker

ABSENT: Megan Williams, Cindy Cunningham, Jean Gallagher

GUESTS: Karen Weldin Stewart, Insurance Commissioner; Gene Reed, Deputy Insurance Commissioner; Sarah Carmody-DNA; Michele Emery, FNP, DNP Student; Bernadette Thomas, APRN, FNP-C; Al Sandal

PRESIDING: Delphos Price

STAFF: Pamela Zickafoose, Executive Director, Delaware Board of Nursing

CALL TO ORDER: Mr. Price called the meeting to order at 6:05 p.m. Members of the committee introduced themselves to the guests and Mr. Price welcomed the Insurance Commission representatives.

REVIEW OF MINUTES: Minutes from June 30, 2014 were reviewed. Ms. Elliott requested to be excused from the meeting since she was at Legislative Hall. Dr. Zickafoose will make this correction. Mr. McKennett made a motion to accept the minutes as corrected, seconded by Ms. Verucci. By unanimous vote, the motion carried.

NEW BUSINESS:

Mr. Price thanked Commissioner Stewart and Mr. Reed for joining the committee and asked them to provide an overview of the Insurance Commission to educate the APN committee members. Mr. Reed stated that Ms. Stewart is the 25th Commissioner who is in the middle of her second term. The Department of Insurance (DOI) exists to set up the insurance marketplace and to examine insurance companies and its mission is consumer protection. Mr. Reed explained the six divisions under the DOI and stated it has grown over the years, particularly since Commissioner Stewart was elected. Commissioner Stewart provided statistical information regarding the numbers of licensed individuals and insurance companies in DE and she described a "Captive" which is an insurance company that is privately owned. DE now has over 900 captive entities in less than 5 years. The Commissioner added that complaints are welcomed at

the DOI and she stated that is often how they find out about issues affecting Delawareans. The consumer hotline phone number was shared with the group and is 1-800-282-8611. At the end of their presentation Mr. Reed thanked Mr. Castaldo for speaking with them and inviting them to attend this meeting. He added that he did have some concerns with certification being on par with the physicians, stating changing the medical fee structure will not please all.

Dr. Prettyman then started the Consensus Model presentation using a short powerpoint presentation. He stated that public safety is our mission. The Commissioner and Mr. Reed stated that if there are nurses who may not be as talented as others and they have significant losses, then physician insurance rates may become unaffordable. Mr. Price clarified that advanced practice nurses (APNs) practice under their own licenses and in no way affect physician licensure. In addition they purchase their own malpractice insurance and that is also independent of physicians. Ms. Baker stated she has her own malpractice insurance, RxAPN, CSR, and DEA numbers and she just paid over \$700 to renew her DEA. Dr. Prettyman continued stating that 19 states have adopted the full practice authority for NPs to date and this number has been steadily increasing since this committee began a couple of years ago. Mr. Reed questioned network adequacy and stated there were enough physicians and members of the committee stated there is a physician shortage, especially for certain specialties such as family or primary practice. Mr. McKennett stated that across the United States the CRNA malpractice rates have been minimal. He described how one anesthesiologist supervises 4 CRNAs and the CRNAs are the ones actually providing the hands-on anesthesia services yet the organization or the physician is who actually gets reimbursed. Overall nursing malpractice rates are low and there is evidence to support the overall quality of care provided.

Ms. Verucci described a delay in service for some patients with some commercial insurance carriers because it requires a physician to be on site for a patient to be seen. Medicare patients are seen however as this is not required by CMS. She added that the lack of providers and lack of services available becomes an issue for really sick patients. Mr. Reed confirmed there is an access to care issue and the group agreed. Ms. Verucci continued stating the collaborative agreement is a contract of employment, nurses and doctors work collaboratively all the time, and she indicated that if an APN needs to collaborate with another physician it most often is a specialist rather than the physician that the APN has a collaborative agreement with. Dr. Zickafoose provided the Commissioner and Mr. Reed with a copy of the current collaborative agreement form. Members reinforced the message that we advocate for collaboration in professional practice. Ms. Verucci also informed the guests that Advanced Practice Nurses can open their own business now but have not done so. She concluded that the Federal Trade Commission is also in support of eliminating collaborative agreements.

Commissioner Stewart remarked numerous times that the powerpoint presentation was quite beneficial as it stirred good conversation with everyone involved. She stated she was interested in midwives. Ms. Elliot stated that all three types midwives are eligible for malpractice insurance but it is expensive. They concluded there was not enough time to cover this topic for now. Mr. Castaldo asked Mr. Reed for information regarding the names of medical directors for the major payers in DE and Mr. Reed requested him to send an email reminder.

At 7:38 p.m. Commissioner Stewart and Mr. Reed thanked the group for the presentation, stating they learned a lot, and then left the meeting. Committee members agreed they too had learned about the insurance commission and they thanked them for attending. Mr. Price and the committee members thanked Mr. Castaldo for scheduling this meeting with the DOI and the group concluded the meeting was excellent and went very well with both sides gaining new knowledge and education.

Insurance for Midwives

Ms. Elliott stated that CNMs and lay midwives can get insurance for home births but it can be quite expensive. The rate depends on the amount of insurance that is purchased for coverage such as \$1 million/\$3 million. She also informed the committee that HB 319 was not passed and it will be re-introduced in January with the same sponsors. The American College of Nurse Midwives supported the bill. Members discussed whether the committee should support the bill or not and Dr. Zickafoose suggested waiting to review the bill with all the amendments when it is reintroduced.

APRN Practice Barriers

Tabled due to lack of time. Dr. Zickafoose will email the article again for the next meeting. .

UNFINISHED BUSINESS:

Consensus Model Bill Revisions

Tabled until next meeting.

Meetings with Stakeholders

Mr. Castaldo stated there was no update unless members met with their own legislators. He did update the excel spreadsheet provided by Mr. McKennett and he will send distribute to the committee. He stated we previously met with the Legislative committee members and now we need to meet with all legislators to continue educating them about the Consensus Model. He also informed the group that Representative Walker is not running for re-election and the members agreed this was a huge loss.

Meeting with MSD

Mr. Price and Dr. Zickafoose have a tentative date to meet with the Government Affairs Committee of the MSD on September 8th to discuss the Consensus Model bill. Mr. Price stated he met with a physician who would like to attend this meeting and members suggested he offer the September or October dates. Ms. Verucci stated a physician she works with is better understanding the model now as well so we are making progress.

Legislative Outreach- Meetings with Legislators

See above

Statute and Regulations

Tabled until next month.

OTHER BUSINESS (for discussion only):

Ms. Verucci mentioned the new proposal for Assistant Physicians that the AMA is supports. They are recommending that medical students who did not match for residency could be placed in underserved areas for their residencies. Members discussed the safety and risk aspects of this and agreed that educated, licensed APNs would better serve the need.

PUBLIC COMMENT: None

NEXT MEETING –September 29, 2014 in Dover. Mr. McKennett stated there were three agenda items to include which were the outcomes of the MSD meeting, the Practice Barriers, and the revisions to the bill.

ADJOURNMENT – The meeting was adjourned at 8:10 p.m.

Respectfully Submitted,

A handwritten signature in black ink that reads "Pamela C. Zickafoose". The signature is written in a cursive, flowing style.

Pamela C. Zickafoose, EdD, MSN, RN, NE-BC, CNE
Executive Director, Delaware Board of Nursing